

**REMARKS**

**INTRODUCTION**

Claims 1-17, and 20-22 were previously pending and under consideration.

Claim 23 is added herein.

Therefore, claims 1-17, and 20-23 are now pending and under consideration.

Claims 14, 15 and 17 are allowed.

Claims 16 and 20-22 are rejected.

Claims 1-13 and 16 are objected to.

Claims 1, 7, 9, 13, 16 and 21 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

**OBJECTIONS TO THE CLAIMS**

Claims 1-13 and 16 are objected to because of informalities. The independent claims thereof have been amended only for improved readability; no change in scope is intended. Withdrawal of the objection is respectfully requested.

**REJECTIONS UNDER 35 USC § 102**

In the Office Action, at pages 2-4, claims 21 and 22 were rejected under 35 U.S.C. § 102 as anticipated by admitted prior art (APA). This rejection is traversed and reconsideration is requested.

Amended claim 21 recites "receiving the request at a switching system and in response, based on the request, securing both the first communication path and a second communication path for the given session". The amendment to claim 21 clarifies that two channels are secured responsive to one request.

In contrast to claim 21, the APA secures only one channel for a subscriber's request message. A second request message secures a second channel for the subscriber. The APA as shown in Figure 2 shows that the request message of one subscriber results in only one channel being secured. For example, subscriber A sends a control channel setup request message and the system then "secure[s] ... bandwidth for [the] control channel". Only one channel is secured for A's initial request message, after which A then sends a second request message ("voice channel setup"), which results in the system securing a second channel for A; "securing of bandwidth for voice channel". It is clear from Figure 2 that the APA does not secure two or more channels responsive to one request message, but rather secures one channel for each separate request message from a subscriber. See also Figure 6 (not APA), which shows an example of securing for A plural channels responsive to one "control channel setup" request message from A.

Withdrawal of the rejection is respectfully requested.

### **REJECTIONS UNDER 35 USC § 103**

In the Office Action, at pages 4-5, claims 16 and 20 were rejected under 35 U.S.C. § 103 as being unpatentable over Takahashi in view of APA. This rejection is traversed and reconsideration is requested.

Claim 16 recites "sending a request message from the subscriber to the switching system ... and securing the bandwidths required between the service provider and the subscriber ... in response to the request message", with bandwidths corresponding to multiple paths.

As discussed above, the APA discloses securing one channel for each separate request message. Furthermore, Takahashi also discloses only securing one connection or channel (Virtual Path Connection or "VPC") for a request message.

Takahashi's background art "selects one VPC which can be used for the requested connection" (col. 3, lines 30-32). Takahashi's first embodiment "[i]n the case of accepting the connection request ... selects one VPC [Identifier]" (col. 10, lines 45 and 64), and "[a]fter selecting one VPC[Identifier], the control unit 16 transmits ..." (col. 11, lines 9-12; see also col. 11, lines 55-60 and lines 63-65). In Takahashi's second embodiment, "control unit 16 selects

one VPC from the VPCs excluding the VPCs selected in the past ..." (col. 15, lines 55-58). The third, fourth, and modified embodiments of Takahashi relate to different means of selecting one VCP ("the selected VPCI", col. 16, line 27; "the VPCI ... selects VPCI ... control unit transmits ... the IAM ... of the selected VPCI" col. 17, lines 10-23; and "selecting the VPCI", col. 18, lines 19-23).

Both the APA and Takahashi disclose only one channel connection, or bandwidth secured for one request message; each additional secured channel is for another corresponding single request message. Therefore, neither the individual nor combined references render claim 16 obvious. Withdrawal of the rejection is respectfully requested.

#### **DEPENDENT CLAIMS**

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 20 recites "a channel type corresponds to a type of service provided by a channel of the path". This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

#### **NEW DEPENDENT CLAIM 23**

New dependent claim 23 has been added to clarify an aspect of the present invention in which two channels are secured for a subscriber either "before the switching system receives from the service provider a response to the request for the first communication path or before the switching system receives from the subscriber a second request that is a request for the secured communication path".

**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11 May 2004

By: James T. Strom  
James T. Strom  
Registration No. 48,702

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501